

UNITED STATES DISTRICT COURT
WESTERN DISTRICT of TEXAS
MIDLAND - ODESSA - PECOS DIVISION

FILED

JUL 27 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY

LEONARD DUANE GRIFFITH

Movant

vs.

VARIOUS CASE #'s

7:09-CV-69 / MO-09-CV-069 & 09-CR-086(19)

7:04-CR-00086-RAJ-19

UNITED STATES of AMERICA

Respondant

et. al

REQUEST FOR THE APPOINTMENT OF COUNSEL (18 U.S.C. § 1915)
IN THE MATTER of a REQUEST FOR COMPASSIONATE RELEASE (18 U.S.C. § 3582(c)(1)(A))

Comes now the Movant(Leonard Duane Griffith), Federal Register Number: 27453-180, before this Honorable Court of the United States, requesting the Court to "appoint" a Federal Public Defender for my aid in submitting a MOTION for Compassionate Release (18 U.S.C. § 3582(c)(1)(A). I am currently housed at the Federal Medical Center(B.O.P.) in Fort Worth, Texas.I have already submitted, to the Warden of FMC-FTW, a "Request" for Compassionate Release - which was DENIED on July 7th, 2021. Thus, according to B.O.P. Program Statement 5050.50 and 18 U.S.C. § 4205, I wish to submit the request for Compassionate Release directly to my original Court of Sentencing and Re-Sentencing.

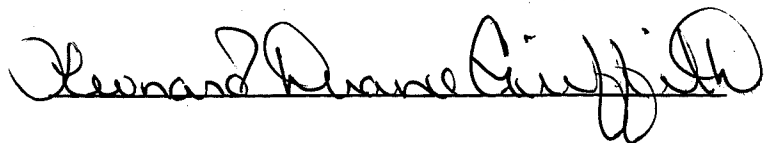
I am currently requesting this Compassionate Release because both the Covid-19 Pandemic and my serious health conditions, issues and complications. The continued inability of the B.O.P. to make the needed changes and adaptations to allow the inmates to practice Social-Distancing, heightened and more stringent sanitation practices and securing the potential "TRANSFER" of the Covid-19 Virus from un-vaccinated B.O.P. Staff members leaving and returning to the Prison has created, and continues to present a nightmare of possible opportunities of me contract/re-contracting the Covid-19 Virus. With my many and various Co-Morbidities and the afore mentioned challenges of the

B.O.P. during this Covid-19 Pandemic, the resulting "Once-in-100-year-Perfect Storm" brings about the substantially real probability of my current incarceration becoming a Death Sentence! As the B.O.P. was never tasked with operating in National Pandemic, being the B.O.P was established in 1930, over fifteen years since the last National Pandemic, there is no realistic way the B.O.P. can change its main function to fully comply with all the Center for Disease Control rules, requirements and recommendations to provide a safe environment for the Inmates which they(B.O.P.) are charged in protecting during incarceration. Even with all the "best practices" and "emergency" strategies the B.O.P. has established, more than twenty(20) Inmates alone have died here in the Fort Worth Prison - which is actually an accredited Federal Medical Center for the B.O.P.. If this Medical Center is not able to "protect" the Imates in their care, that alone becomes the "extraordinary and compelling" circumstances that the Compassionate Release Statutes allows for the consideration of a 3582 Reduction of Sentence.

I am currently in the final two and three-quarter years of my twenty-year Sentence and I am now facing the serious possiblity of becoming another Inmate who could die in this Covid-19 Pandemic. My original Sentence was not a "Death-Sentence"; and I have no desire in becoming another statistic when the possibility of either a Reduction in Sentence or some other form of incarceration could be accomplished during these last couple of years I have remaining on my Sentence. With all of this being taken into account, I am requesting that assistance of a Federal Public Defender to be assigned to my case so that a correct and functionally adequate Motion for 3582 Compassionate Release can be submitted to this Court. I do not have the ability, nor the legal knowledge required to correctly draft and research the Motion for the reduction in sentence. My age and my health - and the time required to create such a Motion is not a task I am capable of accomplishing at this time, in this Prison. Even this letter of request(Motion) was written by another Prisoner here in Fort Worth because I do not have the ability to even accopmlish this task. I hope and pray you will see fit to GRANT my request for a Public Defender to be assigned to my case. I know this not something I am guaranteed, however, I am hoping that it is something that your Honor will afford me at this time. Thank you for your consideration in this request.

Leonard Duane Griffith

July 22, 2021

A handwritten signature in black ink that reads "Leonard Duane Griffith". The signature is written in a cursive style with a large, looped initial "L".

Inmate Copy

RESPONSE TO RIS REQUEST

INMATE: Griffith, Leonard

REGISTER NO: 27453-180

INSTITUTION: FMC Fort Worth

This is in response to your Compassionate Release/Reduction in Sentence (RIS) request under Debilitated Medical Condition and COVID-19.

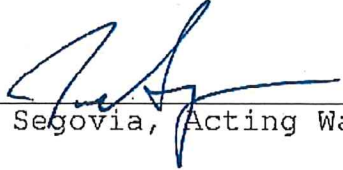
Consideration for your release, under the provisions of Title 18, United States Code, Section 3582 (c)(1)(A), and Bureau of Prisons Program Statement 5050.50, Compassionate Release/Reduction in Sentence, dated January 17, 2019, has been given careful review, which included updated medical and case summary information.

A review of this request revealed you do not meet the criteria for Medical Circumstances - Debilitated Medical Condition. Your recent medical summary reflects you have been diagnosed with peripheral neuropathy, esophageal reflux, cirrhosis of the liver, and multiple other medical conditions. Although you have multiple medical conditions, you are able to independently attend to your activities of daily living.

The BOP is taking extraordinary measures to contain the spread of COVID-19 and treat any affected inmates. COVID-19 measures are in place per CDC guidance to minimize the threat of COVID. Your concern about being potentially exposed to, or possibly contracting COVID-19 does not currently warrant an early release from your sentence.

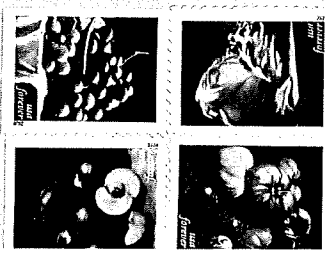
After careful review of this information, consideration for Compassionate Release/RIS is denied. In compliance with Bureau of Prison's Program Statement 5050.50, you may appeal this denial through the Administrative Remedy Program.

Medical staff will continue to monitor your conditions as clinically indicated. I suggest you work with your Unit Team and your designated Medical and Mental Health Team to address your needs, as they may arise.


J. Segovia, Acting Warden

7/7/21
Date

Federal Medical Center - FTW
c/o: Leonard Griffith
Reg # 27453-180
P.O. Box 15330
Fort Worth, Texas 76119



Legal Mail

RECEIVED

JUL 27 2021

CLERK U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY _____
DEPUTY

United States District Court
Western District of Texas
Midland - Odessa - Pecos Division
Attn: Clerk of the Court
United States Courthouse
200 East Wall Street Room 222
Midland, Texas 79701

Legal Mail